



(b) (6) [REDACTED] will loose approximately 80 producing peach trees due to the STATE OF MARYLAND enforcing an EPA mandate to plant trees and grasses to clean up the Chesapeake Bay.

(b) (6)

November 9, 2016

President Elect Donald J. Trump  
Trump Tower 66<sup>th</sup> Floor  
725 5<sup>th</sup> Avenue  
New York, NY 10022

FILE COPY

Dear President Elect Trump,

My sincere congratulations to you and your family! You are a true American Patriot. Thank you for doing what you did, and my prayer is for your safety.

I am writing to you for help in our community against the EPA. We are a conservative bunch here in Western Maryland and I believe that we have been targeted in an EPA project.

My neighbors are losing productive farm ground to plant junk trees and grasses that we cannot trim without penalty or fine. My orchardist neighbor will have 80 peach trees ripped out to be replaced by whatever trees the EPA regards as cleaner trees for the Chesapeake Bay and my dairy farmer neighbor will be losing about 6 acres of farm ground for corn and alfalfa. This is happening all across Washington County Maryland.

We have contacted Governor Hogan and even though he is republican, apparently against the Federal EPA his hands are tied. This is such an abuse of power and absolute stupidity. There are many other locations that these trees and grasses can be planted.

I know you are extremely busy and any assistance would be GREATLY appreciated.

Thanks again for all you are doing for the GREAT USA!! Stay safe!

Sincerely  
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HARRISBURG PA 171

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FEB 27 2017



Mr Scott Pruitt  
USEPA Headquarters  
William Jefferson Clinton Building  
1300 Pennsylvania Avenue N.W.  
Mail Code 1101A  
Washington DC 20460



February 19, 2017

Mr. Scott Pruitt  
Environmental Protection Agency  
1200 Pennsylvania Ave NW  
Washington, DC 20460

RECEIVED  
2017 FEB 27 PM 3:07

OFFICE OF THE  
EXECUTIVE SECRETARIAT

Dear <r. Pruitt,

My name is (b) (6) and I'm a registered voter, husband and parent, and public school employee from Napa, California. I'm writing to urge your agency, in the upcoming months, to take a strong public stand in support of combating climate change, protecting our air and water from pollutants, and protecting and funding our State and National Park Systems. My request is that you, and your agency, focus on the following:

- **Ensuring** that all children, including low-income urban families, have access to positive experiences in nature.
- **Funding** parks and outdoor education experiences for children and families.
- **Resisting** any attempts to undermine environmental protections, endangered species protections and pollution controls.
- **Opposition** to oil and gas drilling, harmful development and other inappropriate activities that endanger our parks.
- **Directly and rapidly reducing** greenhouse gas and toxic pollution to successfully combat climate change and improve and protect public health.
- **Mandated transition** to an equitable and sustainable new energy and economic future that includes creating pathways for low-income people and people of color to access good jobs within these new industries.

Thank you to the agency staff who receives this letter. Although I fully understand that Mr. Pruitt's political viewpoint may be different from my own, I appreciate the opportunity to add my perspective to our democratic process of governance. If possible, I would appreciate a response acknowledging that my outreach was received by the EPA.

I believe that it's possible to weave vast differences in political ideology into a collective and unifying vision for our country and our planet. Unity doesn't always equal agreement but it does include taking the time to listen to, and value, divergent views.

Sincerely,

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OAKLAND  
CA 945  
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**FEB 27 2017**

Mr. Scott Pruitt  
Environmental Protection Agency  
1200 Pennsylvania Avenue NW  
Washington, DC 20460



20460-



(b) (6)

RECEIVED  
2017 FEB 27 PM 3:06  
OFFICE OF THE  
EXECUTIVE SECRETARIAT

February 17, 2017

The Honorable Scott Pruitt  
Environmental Protection Agency  
1200 Pennsylvania Avenue, N.W., Mail Code 1101A  
Washington, DC 20460

Dear Secretary Pruitt:

First off, please accept my sincere congratulations for your nomination by President Donald Trump and subsequent confirmation today by the United States Senate as Administrator of the federal Environmental Protection Agency. I am sure that you will do a terrific job on behalf of all Americans to restrict the insidious growth and activist agenda of this out-of-control agency.

I am writing to urge you to propose and work to **publish** the exact waters where the proposed **Waters of the United States** rule would apply under the Clean Water Act.

Today it is essentially up to EPA bureaucrats to decide which waters are or are not covered. Some of these bureaucrats have literally taken actions that when a hard rain leaves behind a pond on your property, the feds may take over and tell you what you can and cannot do with it. This overreach has never been the intent of the legislation.

Publishing a list of the waters (preferably using GPS coordinates) that are specifically covered under the definition of the Waters of the United States would effectively enable all Americans to make credible & rational decisions about their use of their property – rather than the present process of just hoping for the best from over-reaching EPA bureaucrats.

Please fight to have this list of waters covered by the Waters of the United States specifically determined and published.

Any questions, please call, email or write.

Best wishes.

(b) (6)

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Honorable Staff Pruitt

EPA

1200 Pennsylvania Ave., N.W., Mail Code 1101A  
Washington DC 20460

20460-



(b) (6)

Dear Mr. Scott Pruitt,

A dozen fire hoses are pumping water onto the Japanese nuclear reactor 24/7 to cool it. This radioactive water has leaked out a 20 foot hole in the reactor side into the ocean for the past six years. This radioactive water has been detected off the coast of Californina. Do the fish caught near Japan reach the cans of tuna etc on our grocery shelves? Are fish tested for radioactive content?

This is becoming an international problem. Could President Trump take Nancy Pelosi along with him to meet with the countries near Japan ? Leadership could be provided by president Trump, yourself and Nancy Pelosy. Keep her busy so she has less time to confront progress.

Sincerley

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Ps. With leadership we could solve this problem. Also our relations with the asian countries would develop. We need to involve China and many small nations.

OFFICE OF THE  
EXECUTIVE SECRETARY

2017 FEB 27 PM 3:06

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Environmental Protection Agency Scott Pruitt

1101A

Pennsylvania Avenue, N. W.

Washington, D.C. 20460

FEB 27 2017



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ADAMI, LINDSEY & COMPANY, L.L.P.  
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DAROLD P. ADAMI  
JAMES A. LINDSEY  
DAROLD P. ADAMI, JR.  
BELINDA W. DEVINCENTIS  
TIMOTHY D. TARABA

February 20, 2017

Scott Pruitt Administrator,  
Office of the Administrator US Environmental Protection Agency  
Mail Code 1101A 1200 Pennsylvania Avenue  
N.W. Washington, DC 20460

Dear Administrator Pruitt,

My name is Darold Adami and I am a CPA. My firm and I provide services to a number of clients in the petroleum wholesale and retail trade. I am writing to encourage you to address the "point of obligation" in the RFS. My clients are small retailers who are experiencing a severe competitive disadvantage as a result of EPA's "RIN" policy. The large retailers such as Murphy, Loves, QT, and Walmart game the system to obtain the RINS.

The obligated party in the current RFS RIN program is the importer and refiner. The big retailers (who are not the obligated party) buy fuel and blend ethanol to create E-10 gasoline and add bio products with diesel to obtain RINS free of obligation and in turn sell them to the refiners. This activity is only available to the large retailers because they have terminals, rack positions, and pipeline space. The small individual store owners and small distributors are cut out of this federal subsidy entirely. With the RIN subsidy going to the companies as mentioned above which is not the intent of the program, the net result is a substantial enhancement to profits of these companies while the small wholesalers/retailers are squeezed out of business. They simply are unable to compete on a price per gallon basis because of the subsidy they do not receive.

Creating a saleable commodity and affording these large retailers the ability to acquire and sell RINS back to refiners was never the intent of the program. The net effect of this uneven playing field is one of the largest transfers of wealth from the small business owner to large corporate America in the history of this country.

On behalf of thousands of small wholesalers and retailers I am asking you to change this unfair treatment by moving "the point of obligation" from the refiners and importers "to the Rack". This levels the field and accomplishes the purpose for which the RFS-RIN program was established.

Thank you for your time and consideration of this critically important matter.

Darold P. Adami  
CPA

OFFICE OF THE  
EXECUTIVE SECRETARIAT

2017 FEB 27 PM 3:06

RECEIVED



ADAMI, LINDSEY & COMPANY, L.L.P.  
*Certified Public Accountants*

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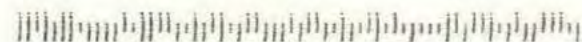


FEB 27 2017



Scott Pruitt Administrator  
Office of the Administrator  
US Environmental Protection Agency  
Mail Code 1101A 1200 Pennsylvania Ave  
N.W. Washington, DC 20460

20460-





## Getting the Right Script into the Right Hands

2017 FEB 23 AM 10: 20

Dear Mr. Pruitt,

OFFICE OF THE  
EXECUTIVE SECRETARIAT

February 4, 2017

First of all, congratulations!

I am writing you because I believe you also think America and its economy should come first. Even if the below doesn't necessarily fit your job description, I hope you will share it.

I think we can agree that an effective way to slow down the economy would be to:

- Limit big rigs down to 20 miles per hour on our highways
- Ban all commercials from the airways both on TV and on the radio.
- Prevent postal workers, UPS, FED/EX etc., from delivering mail and packages, or make them redirect the mail to the most unlikely places.

If we can agree on that, then we can also agree, based upon the enclosed, that AOL, Gmail, Hotmail, Yahoo and the other email providers are holding down our economy.

15 years ago, no one ever said anything like "I didn't get your email." or "Hey, didn't you get my email?" These are now commonplace statements due to faulty email systems.

Email providers have hi-jacked the email system and are redirecting, not delivering and hiding business e-mails on a massive scale. These email providers' standards for delivering mail are way, way below that of the US Post Office.

I now waste 20% of my gross income every year trying to overcome this problem. There are about 30 million businesses in America. Take all of my time, money and effort on this single problem over the last 5 years and multiply that by three million businesses.

Please find enclosed examples showing the above as well as suggestions to handle it.

If they can't figure out a way to differentiate between legitimate business emails and emails from spammers, in addition to myself, there are plenty of others who can.

The good thing about this is that the economy would recover almost overnight by solving this problem, it is a problem that can be solved without bureaucracy and it can be solved quickly.

Respectfully,

(b) (6)

In greater or lesser degree and in different ways, each email provider does some or all of the below. No effort is being made to single out any particular provider.

### **Examples of Delivery Issues:**

- 1) **A few weeks** ago, a business owner friend of mine was trying to email a document to an important new client. He tried and tried with his company email address with no success. He finally had to use a personal email address to get the email to arrive. Understand that the company never does bulk email and has been in business about 20 years with the same domain. It is a very small business that probably doesn't answer more than 50 emails a day.
- 2) **A friend of mine** began working on a social betterment project and she informed her friends about it. Before long she had over a thousand people who had asked her to email them updates. Earthlink wouldn't let her send those emails despite the fact that she had a perfect record and been with Earthlink since the beginning.
- 3) **Recently, several customers** called my office asking us to email them such and such. My staff did as instructed. A little while later those same customers called back and asked why we didn't send it to them. With a little digging, we discovered that the email went directly to the customer's trash folder, according to the customer.
- 4) **I sent an** email to a test email account and then logged in as that test email account and deleted the email I sent it. Then I sent another email to that same test email account. That email went directly into the trash.

Just because a user deletes a single email from someone DOES NOT mean every subsequent email from that person is trash. It means the user didn't need that email in his/her inbox any longer. One reason (of which there are many) is that the business is sending the user a corrected version of that same email, so the user deleted it because he/she didn't want to get confused. Or the user didn't want the incorrect email attached to the same thread as the corrected email.

- 5) **I subscribed to** my company's newsletters with a test Gmail account. My company then sent a single correspondence email to that Gmail address. That email went into the promotions folder.
- 6) **I've been having** dialogue with a friend using my Comcast email address. I didn't hear back from him, so I re-sent the email. It is a good thing I did, because he didn't receive my previous email.

- 7) **One of my** staff (fairly savvy Internet user), used to use Gmail for his personal use. He subscribed to newsletters because he wanted them. Yet, those newsletters never arrived and he couldn't figure out why. Maybe they were there and he couldn't find them. Anyway, he finally closed his Gmail account because he couldn't rely on gmail.
- 8) **I receive, send** and answer a lot of email correspondence every day. But since so many of my emails never arrive, I have to single out the most important ones and schedule alarms to make sure they were received.
- 9) **I did some testing:**
- A) I sent a single, individual newsletter to a new subscriber from my newsletter email address:  
Gmail will NOT put it in the inbox (it goes to the promo folder).  
Hotmail, Yahoo and AOL put it in the inbox.
  - B) I sent my newsletter from a fairly new email address and domain that I created:  
Gmail put it in the inbox.  
Hotmail put it in the junk folder every time.  
AOL and Yahoo will put it in either the spam or inbox (can't figure out how the same content will go into a spam folder to one email address and an inbox folder to the other email address, even though I created both those test AOL accounts at the same time and did nothing different with either of them).
  - C) I sent a personal message from a new fairly new email address (a month old):  
Gmail will put in the inbox  
Hotmail will put it in the junk folder every time  
AOL and Yahoo will put it in either the spam or inbox. If I send it again, sometimes it is reversed.

I know there are other glitches in other scenarios I could test, such as all my staff answering emails at the same time, thus making it look like we are sending too many emails. Another is replying to emails while or just after sending my e-newsletter, and so on.

- 10) **There is a** person that I have had personal dialogue with many times over the years. Recently, she asked to interview me. I responded in a timely fashion. I responded a week later and a week later after that. She responded to the last email I sent and said she has received every email I sent her and responded every time. I only received her last email. I then responded immediately. I am certain she has emailed me back, but I have yet to receive it.

- 11) **In this never** ending struggle, the Cannes Film Festival sent 7 bulk emails over about a 7 week period. Each had a different name, different subject line, different email address (same domain) and different content. Despite all of that, all their emails went into my Gmail spam folder. Yet, I subscribed to their newsletter. If I put Cannes in the spam folder, it was done unknowingly.
- 12) **Just to make** sure this is clear, once a user makes a decision about a piece of email, by putting it in a created folder, or a promo, spam, junk or trash folder, all those emails will now go in that folder. A high percentage of users don't even know this is going to happen from now on. Many are barely able to send and receive emails. Then combine this with the fact that folders are automatically hidden or made hidden and some folders don't show the number of emails in that folder, well....correspondence is lost 24/7, 52 weeks out of the year.
- 13) **For this next** instance, we have "Feedback Loop," and we will use AOL for this example. It is a system by which businesses can find out if the customer is reporting them to spam. In other words, an AOL user sees emails and tells AOL they are spam, even if the AOL user originally subscribed to the emails. When they select "spam", AOL sends the business an email informing the business to take that AOL user off their list.

The problem is that sometimes the AOL user makes a mistake for any number of reasons. Supposing the AOL user highlights 30 different emails and carelessly puts them all in spam because he/she didn't see the trash folder and doesn't really know the difference. Or the user released the mouse too quickly. Or the user highlights them all and doesn't see that a particular company, whose emails they want to keep, is highlighted.

Well, the business receives the spam email from AOL and takes the AOL user off the list. However, the next day, the AOL user spots his/her error and puts that company's email back in the inbox. Our tough luck. AOL DOES NOT notify us of this. We just lost a paying customer!

**To make matters** worse, some of the providers have made it so that when a user reports someone as spam, the provider automatically goes to the "spammers" website and unsubscribes their user. As often as not, this is based upon a mistake by their user.

Over the years we have had hundreds or more of unsubscribes from AOL users. Because of such an obviously flawed system, it is our policy to call our clients who pay us to deliver the weekly newsletter. We ask them if they would also like a refund, because it is the honest thing to do. Nine times out of ten, they have no idea how they unsubscribed. They ask us to put them back on the list and tell us they never wanted a refund.

- 14) **Every week**, I send off bulk emails to my clientele. I have been doing this for 16 years. I only send to my clientele and I follow the laws on this. I don't buy, trade or sell lists. I handle my bad email addresses and unsubscribes consistently and timely. Sometimes Gmail, Hotmail, etc., reject my email telling me that I sent too many emails at one time. Some of my emails are rejected because of "suspicious" spam content, or for any number of other invalid reasons.

I send emails because my clients specifically requested them.

- 15) **My webhost recently** told me that Hotmail dumped hundreds of thousands of emails, and the reply from Hotmail was "oh well".

- 16) **There is a thing** known as "best practices" that all providers have available to bulk emailers. Well, I feel these "best practices" are deceptive, and not in the best interests of businesses. It leads a business to think that if it follows all of the rules, the company's emails will arrive in the inboxes. And the hoops you jump through like SPF, DKIM, DMARC don't necessarily stop expert spammers. However, they definitely stop legitimate companies.

If a business has a list of 50k, 100k or more, good luck no matter how diligently the "best practices" are followed.

- 17) **One of the** "best practices" is to take out of your email list anyone who hasn't clicked on one of your links in such and such number of months or hasn't opened your emails.

This tracking in emails just makes it easier for Gmail, etc., to put your email in any place other than in the customer's inbox.

**Secondly, any email** provider telling a business which subscribers should and should not be on their email list is a provider who is in the wrong. It's like telling Hotmail, Earthlink, etc., that they must automatically delete any user accounts where 3 months have passed since the user last logged in. It is like telling Calvin Klein that they can't advertise on a billboard because not enough people have looked up at the billboard. It results in lost sales. It's like telling the financial industry they can't send letters offering credit cards or home loans or insurance via post because not enough people open their letters.

**I am in** the entertainment industry. Producers aren't always looking for scripts. We've been told on many occasions that they let our newsletters pile up for months or a year or more at a time. And then, when they are looking for scripts, they peruse our emails. And writers sometimes get despondent. They won't look at anything for months. Then when they are inspired, they will look through what we have sent. We get emails from writers who haven't used us for years who are now active again and they thank us for being so persistent and inspiring. Because our clients behave in this fashion routinely, our scores get lower and less of our emails go in inboxes.

- 18) **Gmail and other** providers decide whether or not something is bulk, correspondence or spam based upon imperfect perimeters. Correspondence sometimes get misdirected because of these perimeters. Or it could be because a user mistakenly put it in a folder, and from there on out all those emails go there to that folder, not the inbox. This happens all the time.

**It doesn't matter** whether the perimeters are perfect or not. Gmail, AOL, Hotmail, Comcast, Yahoo, etc., have no right to EVER decide whether a legitimate email should go to a promotions, bulkmail, spam or trash folder or anywhere else. ONLY the user has that right.

If they are going to take on the responsibility of delivering the mail, then they are honor bound to hold themselves to the same or higher standards as the USPS. Other than factual spam, they should NOT be redirecting or stopping any emails from going into the inbox, unless the user (with full knowledge of how it works), directs it elsewhere.

**Everybody knows how** to unsubscribe and knows the laws concerning it. They don't need help with this. Email providers have no right to try and diminish any company's attempts to advertise or present useful information to their legitimate subscribers. To do so is unethical. Postal workers are guilty of crimes when they do this. In the real world, it is a crime to tamper with somebody's mail.

- 19) **There is a definite** and distinct difference between spam and emails that a subscriber subscribes to but now wants to get off of. Yet no email provider makes that distinction. When a subscriber no longer wishes to receive an email, the subscriber reports that email as spam or trash, thereby ruining a legitimate, law abiding business' reputation, which then affects other emails to other new subscribers the company gets.
- 20) **I haven't fully** examined this, but I could swear email providers give preferential treatment to Amazon and other big organizations like that. And yet, these organizations likely send a 1000 times more emails per day than my company does or ever could. But their emails go into inboxes and aren't blocked, redirected or bounced-back.
- 21) **A testament to** the failings of email providers is the formation of an entire industry devoted to helping with this exact problem. Witness the marginally effective (whether businesses know it or not) mailchimp, constantcontact, etc. Those companies would likely not exist in their current model if it were not for the difficulties Gmail, AOL, Comcast, etc., put small and larger businesses through every day.

## **Comments:**

**So you know**, I haven't done anywhere near a thorough investigation of any email provider. My research is along the lines of "hmm...why so many AOL unsubscribes?...oh, that's why" "hmm, how come no replies to my email?...oh, they never got the email," and so on.

I don't know this for a fact, but I imagine if I really delved into it, I would find just as many or more problems as listed above.

**Many email users** know just enough to send and receive emails. Various folders are a confusing, foreign concept to them and so are the spam, trash, junk, promotions, social, etc., options/icons.

It is not a standard practice for users to routinely look in their spam, promotions, or junk folders. They simply don't always look there for their missing emails. It becomes worse when folders which have emails in them are actually hidden from sight. Instead the customers think the company didn't respond to them or aren't updating them. It makes the business look unprofessional. It leaves the customer confused. In the world of personal relations, it also makes things worse.

**There also isn't** enough consistency from one email client to another. And sometimes folders are out of view for the user, whether done by mistake or instituted by the provider. Sometimes users don't even know they have a spam or trash folder with unseen emails in them. When it is out of view, they forget all about it. Other times, the user believes he/she is doing the correct step because the explanations are so abbreviated that it is misunderstood.

With these inconsistencies, how the heck is a business owner to make sure the correspondence they answered will arrive, that their personal emails arrive or that their bulk emails arrive? How is a customer emailing a business supposed to know if it got through? How does an owner know if a piece of marketing material worked when he/she doesn't even know if it arrived?

**From what I** can see, the spam issue has been handled. In all of my dozens of test email accounts with AOL, Gmail, Hotmail, etc., I never or very rarely receive spam. The only spam I ever receive in my mailbox is from the email providers themselves.

It looks to me like Gmail, Hotmail, etc., have mostly if not totally conquered spam. Now, they are deliberately tampering with mail sent from honest, legitimate companies who only deliver email to their subscribers. This is NOT their right and is unacceptable.

## **Reliability Ratio**

I am a little old school in that I still pay my bills and mail other things through the post office. I estimate that I send off 8-15 pieces of mail a week. Multiply this by 5 years and that is roughly 2500 letters mailed through the USPS. In that time, only one letter never arrived.

I can tell you for a fact that a day doesn't go by where either my business' correspondence to someone doesn't arrive, or their correspondence to us doesn't arrive.

Based upon the above, my guess is that email providers (such as AOL, Hotmail, Gmail, Yahoo, Earthlink, Comcast, etc.) are less than one hundredth as reliable as the USPS, to say nothing of FED/EX, UPS, etc.

You may not agree with the following statement and that is probably because you aren't on the receiving end of it, but it is said with sincerity and with no intention to exaggerate:

Emails are electronic. Yet despite all of the human errors from FED/EX and the U.S. Post Office, etc., they are so far ahead in reliability that email providers aren't anywhere close to being in the same league.

Because they prevent growth, expansion and prosperity, email providers are the number one job killers in the nation (outside of government). One merely needs to survey businesses or search the Internet to confirm the troubles businesses are having.

For the sake of our economy, I truly wish email providers would step up their game, quit tampering with legitimate email, and improve their standards to where they are better than FED/EX, and have the same or higher integrity level (with regards to hiding and not delivering) that is required of the USPS. Certainly, email providers have done it before for years and with 1/50th of the technology that they currently have.

With that being said, enclosed is a list of suggestions.

## **Food for Thought:**

Please pardon it being so remedial.

### **What would happen if:**

- We slowed all the big rigs down to 20 miles per hour on the highways?
- We banned all commercials from airways both on TV and on the radio?
- We prevented all postal workers, UPS, FED/EX etc., from delivering mail and packages, or we redirected them to the most unlikely places?

The economy would suffer.

By the same token, one of the reasons our economy did well during the 90's is because the Internet was finally taking shape. Certainly, credit belongs to AOL, Yahoo, Hotmail, etc.

Communications could take place in seconds, documents could be sent by the click of an "enter" key and arrive instantly, deals could be made and things could get done in a fraction of the time. Efficiency and effectiveness went way up.

Thus, the economy improved.

### **Want to slow down the economy?**

- Reduce the speed limit for big rigs.
- Prevent advertisers from advertising.
- Prevent or misdirect communications on a massive scale.

Any one of the above will help accomplish the goal.

Though it may not have been possible in the early days (due to monetizing struggles email providers had), it is now certain that when the economy improves, so do revenues for email providers.

If I may be so bold, American businesses have lost hundreds of billions of dollars because email providers have been taking advantage in the guise of "preventing spammers."

## Suggestions:

1. Make it so all bulk emails arrive in actual inboxes for U.S. businesses which:
  - a. have a dedicated domain and IP address with email addresses that match these and whose domain is at least two years old
  - b. follow the bulk email laws
  - c. do not buy, trade or sell their lists
  - d. only email their registrants and subscribers
  - e. are not spammers
  - f. do not deal in porn, drugs, terror or other illegal or shameful activities
  - f. speedily handle their unsubscribes and bounce-backs
2. Any folder that has emails in it should always be visible and show the number of emails in it.
3. Create a uniform system so that the key folders/options and explanations are the same across all platforms and providers.
4. Create an "unsubscribe" folder so that users can unsubscribe from companies they subscribed with and aren't mistakenly calling them spammers.
5. No provider should ever automatically assume what the user wants. If an email is taken out of an inbox by a user and put in some other folder, the email provider must find out if the user wants it to always go to the new folder. Provide better warnings so the user really knows.
7. Make it so that any business that meets the above can easily get on a feedback loop system so that they can remove unsubscribers without the need for DKIM-DMARC. Truthfully, "feedback loops" aren't even needed. Just bounce the email back with the explanation. But if you do keep Feedback Loops, when an unsubsubscriber changes his/her mind, inform the business.
8. Standardize spam and bulk email policies so they are consistent between all providers.

I believe most of the information needed to implement these suggestions are already available and could be accomplished relatively quickly and easily.

I don't believe this to be true, but if for some reason, the email providers feel that these tasks are impossible, I can assist to help get any provider headed in the right direction with a little thinking outside the box.



P.O. Box 12418, La Crescenta, CA 91224



FEB 23 2017



EPA

Mr. Scott Pruitt

1200 Pennsylvania Ave NW

WASH, DC 20460

Administrator  
U.S. Environmental Protection Agency  
1200 Pennsylvania Avenue NW  
Washington, DC 20460

RECEIVED  
2017 FEB 28 AM 11:58

OFFICE OF THE  
EXECUTIVE SECRETARIAT

Docket ID: EPA-HQ-OAR-2016-0544

Dear Sir or Madam:

As an employee in the fuels industry, I am writing today in response to EPA's proposed denial to move the point of obligation under the Renewable Fuels Standard (RFS).

I am extremely concerned about EPA's proposed denial to move the point of obligation further downstream in the fuel supply chain to rack sellers. This is a serious issue that threatens the viability of merchant refiners, such as HollyFrontier El Dorado Refining LLC in El Dorado, Kansas where I am employed. These refineries provide jobs and tremendous economic support to their surrounding communities. The El Dorado Refinery employs nearly 500 people in stable, well-paying jobs, and is one of the most important contributors to our local economy. The current RFS system is punishing merchant refiners by putting us at a competitive disadvantage which is an unintended consequence of the RFS.

Presently EPA makes refiners and importers of petroleum products responsible for certifying blending of biofuels and petroleum products regardless of their ability to physically blend, or influence blending of their finished products. The disconnect that exists by obligating refiners without consideration of their ability to blend renewable fuels is the primary flaw within the RFS program. Merchant refineries like ours in El Dorado own limited downstream infrastructure, and no retail stations. Because of this logistical reality, my company must acquire Renewable Identification Numbers (RINs) on the open market to satisfy our annual required blending requirement by EPA.

In 2016 HollyFrontier's refineries, including El Dorado, spent approximately \$250 million on RIN purchases. This cost represents a greater amount than was spent on total payroll for more than 2,700 employees like me. Simply put, these dollars do nothing to advance the goals of the RFS program, enable greater investment in our facilities, or increase wages and take home pay.

I request that the EPA act to move the Point of Obligation from refiners and importers to rack sellers which will better align ability to comply with the annual volumes mandated by EPA, and greatly reduce RIN market volatility.

Thank you for your consideration in this manner.

Sincerely,

(b) (6)



THE HOLLYFRONTIER COMPANIES

2828 North Harwood  
Suite 1300  
Dallas, Texas 75201

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DALLAS 750  
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**FEB 27 2017**

US Environmental Protection Agency  
Office of the Administrator  
1200 Pennsylvania Avenue, NW  
Washington, DC 20460



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FYI, Director Pruitt:  
so you know where I stand ...

RECEIVED

DH

February 21, 2017

2017 FEB 28 AM 11:56

**President Donald Trump**

The White House  
1600 Pennsylvania Avenue NW  
Washington DC 20500

OFFICE OF THE  
EXECUTIVE SECRETARIAT

re: EPA, NEA, budget priorities, etc.

Dear Mr. President:

I would like to express my strong support for an Environmental Protection Agency that operates as it was originally envisioned: as a strong bulwark against the despoliation of our natural environment.

I grew up in Southern California at a time when air pollution there was particularly bad. I remember when "smog alerts" in the '60s prevented us from playing outdoors during recess. I remember taking long bike rides in the '70s when it actually *hurt* to take a deep breath. I remember that there were days and weeks at a time when the San Gabriel Mountains – only ten miles away – would literally disappear from view in a haze of ozone. Now, after catalytic converters and three decades of strict emissions controls, the atmosphere in my old hometown of Ontario is now clear and healthy.

In contrast, I now work frequently in China where I am seeing the mistakes of America's early industrialization now being sadly repeated. I have been in Beijing when the Yan Mountains are invisible due to smog – just like the San Gabriels – and the residents go about their day wearing dust masks. A colleague of mine re-located from Shanghai to our New York office a couple of years ago because his two young boys were coming down with asthma. Coal-fired electricity generation is literally killing the Chinese. The Chinese government is belatedly recognizing the threat and shutting down many of these old-technology plants.

A healthy environment and a healthy economy go hand-in-hand. People do not want to live and work in places where the air, water, or soil are contaminated. Over the past several decades, the EPA has been instrumental in insuring our country's national health. Please do not let us go backwards! It is short-sighted, for example, to relax air and water pollution control measures in order to prop up the ancient, dirty, and dangerous coal industry. I understand that we have communities in West Virginia, Pennsylvania and elsewhere that are historically invested in coal. But with advances in wind, solar, and nuclear power-generation, we have an opportunity to develop an advanced 21<sup>st</sup>-century clean power ecosystem that will give us a

stronger, healthier society in the long run. We should be promoting re-training for clean energy technology instead of clinging to outmoded industries.

I am also disturbed that you and Mr. Pruitt seem intent on ignoring the mass of evidence relating to climate change. Rapidly melting ice in the Arctic, Greenland, and Antarctica is abundantly documented. Severe weather events are increasing, as are average temperatures and CO2 levels. I was in New York during superstorm Sandy and saw firsthand the devastation in Red Hook/Brooklyn where I helped hang new drywall in businesses that were five feet underwater. It seems obvious to me that the economic and human cost of doing nothing outweighs the cost of changing the way we do business.

--

Changing the subject, I would also like to express my support for continued public funding of the arts. The National Endowment for the Arts and the National Endowment for the Humanities play an important role in bringing works of art into being that the private sector alone cannot be relied on to do, thereby enriching the lives of many. Their budgets take up a small fraction of the federal budget but have an outsized impact on American culture. I would much rather see my tax money go to the NEA and NEH than to the construction of a Mexican border wall.

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Finally, while I am certainly in favor of a strong national defense, I do not agree with your assessment that our military is in any way weak or that we need to spend billions on a vast expansion. From what I've read over the past few years, our force levels are appropriate to the threats we face and we continue to upgrade our weapons capabilities with new fighters, warships, and ground vehicles. IT threats are being addressed and DARPA is probing the frontiers of new-age warfare. I would not like to see an expanded military budget force out all the other good things that we do with our tax dollars. We need a balanced budget in more ways than one.

Thank you for your attention.

Sincerely,

(b) (6)



cc: Mr. Scott Pruitt /EPA Director; Mr. Charles Schumer, Ms. Kirsten Gillebrand, Ms. Yvette Clarke

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Environmental Protection Agency  
Office of the Administrator  
1200 Pennsylvania Av. NW  
Washington DC 20460

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# US PETROLEUM

## *SYNTHETIC & RENEWABLE OIL*

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February 18, 2017

**Environmental Protection Agency  
1200 Pennsylvania Avenue, N.W.  
Washington, D.C. 20460**

Attention: Mr. Edward S. Pruitt, Esquire  
EPA Administrator

Subject: Fix Global Warming

Dear Mr. Pruitt:

Good day and Congratulations! My name is Albert N. Heichberger, Principle of U.S. Petroleum Corp. I am 66 years of age. I own the U.S. Government's "Technical Logical Fix for the Global Warming". Yes, it is a long story!

I own U.S. Patent 8,637,299 issued January 28, 2014 entitled "Method to capture carbon and storage (CCS Process) from coal fuel gas and the storage as Biofuels, Oil, Gasoline, Biodiesel, Jet Fuel, Ethanol, and Methane." You may down load a copy at [www.USPTO.gov](http://www.USPTO.gov). It has unlimited value.

I worked on its Research and Development for seven (7) years with a DOE's company called "Solar Energy Research Institute" (SERI) from 1985 till 1992. They closed the project down in approximately 1992 for too high of oil cost per barrel (\$386/barrel). I used different carbon dioxide technology and reduce the cost of a US Barrel Oil to US\$10.00. The government took a burn and started retaliation. They tried to kill me with arsenic poison. They suppressed the oil technology and Albert N. Heichberger. I am a CO2 expert with 47 years experience. It is a sad, but true story.

This is the Governments' Technology known as "The Technological Fix for the Global Warming." They have spent approximately \$220 billion and still spending to stop the Global Warming" and they have the Global Warming stopped since 1985. It is proven technology for 150 years. The Oil technology is proven for approximately 30 years. It is very profitable. This does not seem right? What do you think?

Kindest regards,

Very truly yours,

U.S. Petroleum Corp.

Albert N. Heichberger  
President

ANH/jmj

2017 MAR -2 PM 12:03  
OFFICE OF THE  
EXECUTIVE SECRETARIAT  
FRI

US Petroleum Corporation  
PO BOX 6012  
Jacksonville, FL 32236-6012

JACKSONVILLE  
FL 322  
21 FEB '17  
PM 2 L



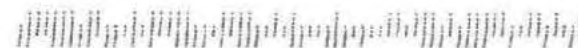
*Handwritten signature/initials in purple ink.*

**FEB 27 2017**

*Handwritten in purple ink: UC 1105A*

Mr, Edeard S. Pruitt, Esq.  
c/o Environmental Protection Agency  
1200 Pennsylvania Avenue, N.W.  
**Washington, D.C. 20460**

20460-



Fri Mar 03 15:38:11 EST 2017  
Pruitt.Scott@epamail.epa.gov  
Fw: "Greenhouse effect is causing Global Warming" a flawed unscientific theory ...  
To: CMS.OEX@epamail.epa.gov

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**From:** (b) (6)  
**Sent:** Wednesday, February 22, 2017 12:02 AM  
**To:** Pruitt, Scott  
**Subject:** "Greenhouse effect is causing Global Warming" a flawed unscientific theory ...

February 21, 2017

Honorable Secretary Pruitt,

Congratulations on your new appointment and confirmation. There is an urgent matter which have been dividing our countrymen as well as puzzled many our friendly nations. This requires your attention and your future contribution.

Since 1970s, Democrats have insisted on "Global Warming", Republicans have taking a stand either "Global Cooling", or no climate changes. On surface, warming, cooling, no change look like all grounds are covered. In fact, as I have discovered in 2005, we are facing a gradual instability of Earth's climate system, or extreme weathers. t has been accelerating and we maybe facing epic of sixth mass extinction earlier than 2050, even as soon as within twenty years.

I have also found concrete evidence that not only human activities have contributed to the climate changes, but also individual energy policies has very distinct signatures on our climate system. There is also evidence of rapidly collapse of entire food-chain based on green chlorophyll, which will be replaced by red algae and alien lifeforms existed on planet Earth millions of years ago.

There are reasons in energy policies why not doing "globalization" of any economic systems, as in no more TPP. This is also reason not committing to 2-degree C global temperature rise: not only we are approaching that limit in accelerated rate, not correlating to CO2, greenhouse gases level, but also there is "no brake" to slow it down.

"Greenhouse Effect is causing Global Warming" is a flawed unscientific theory. Many "Green industry" products are actually harming Earth's environment rather than helping it. We must deliver these messages to American people to resolve division among us and to our allies to expedite corrections of past wrong "fixes" based on a flawed theory.

I have a degree in chemical engineering from UW-Madison and a Master's degree in computer science (artificial intelligence, simulation). My earlier work involves designing supercomputers. For more than 10 years, I have been focusing on climate system. My model since 2005 has been correct in predicting Arctic icecap melt, proving "Greenhouse, Global warming" theory wrong, etc.

If you may have your assistant call me at (b) (6) and/or at email address (b) (6) Looking forward to make our country great and make planet Earth right again.

Sincerely,

(b) (6)



February 21, 2017

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If you may have your assistant call me at (b) (6) and/or at email address (b) (6) Looking forward to make our country great and make planet Earth right again.

Sincerely,

Charles Wang

Fri Mar 03 15:43:30 EST 2017  
Pruitt.Scott@epamail.epa.gov  
Fw: NACWA Congratulations on Confirmation  
To: CMS.OEX@epamail.epa.gov

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**From:** Oliver Hamilton <OHamilton@nacwa.org>  
**Sent:** Tuesday, February 21, 2017 1:44 PM  
**To:** Pruitt, Scott  
**Subject:** NACWA Congratulations on Confirmation

Dear Administrator Pruitt,

On behalf of the National Association of Clean Water Agencies (NACWA), we would like to congratulate you on your confirmation as Administrator of the U.S. Environmental Protection Agency (EPA.) NACWA looks forward to working with you and your team on addressing the many water quality and infrastructure challenges facing the nation.

Attached is our formal congratulations letter, as well as NACWA's transition letter to President Trump. Congratulations again on your confirmation and we look forward to continuing our long and productive history of working together with the EPA.

Sincerely,  
Oliver Hamilton

Oliver Hamilton  
Manager, Government Affairs  
National Association of Clean Water Agencies (NACWA)  
1816 Jefferson Pl. NW  
Washington D.C. 20036  
Phone: (202) 533-1801

**EXECUTIVE COMMITTEE**

**PRESIDENT**

**Raymond J. Marshall**

Executive Director  
Naragansett Bay  
Commission  
Providence, RI

**VICE PRESIDENT**

**Cathy Gerali**

District Manager  
Metro Wastewater  
Reclamation District  
Denver, CO

**TREASURER**

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Executive Director  
Metropolitan Water  
Reclamation District of  
Greater Chicago  
Chicago, IL

**SECRETARY**

**Mark S. Sanchez**

Executive Director  
Albuquerque-Bernalillo  
County Water  
Utility Authority  
Albuquerque, NM

**PAST PRESIDENT**

**Adel H. Hagekhalil**

Assistant Director  
City of Los Angeles -  
LA Sanitation  
Los Angeles, CA

**CHIEF EXECUTIVE OFFICER**

**Adam Krantz**

February 21, 2017

**The Honorable Scott Pruitt  
Administrator**

U.S. Environmental Protection Agency  
1200 Pennsylvania Avenue, N.W.  
Washington, DC 20460

Dear Administrator Pruitt:

On behalf of the National Association of Clean Water Agencies (NACWA), I want to congratulate you on being confirmed as Administrator of the U.S. Environmental Protection Agency (EPA). NACWA looks forward to working with you and your team and to addressing the many water quality and infrastructure challenges facing the nation. NACWA represents the interests of municipal wastewater treatment and stormwater management agencies. NACWA's public agency members are on the front lines of protecting public health and the environment, collecting and treating the majority of the wastewater generated each day in the United States. Simply stated, no other group of public servants has done more for our environment and public health over the past 40-50 years than our nation's public water and wastewater treatment plant leaders and staff.

NACWA has met with members of President Trump's transition team and has provided policy recommendations on an array of water-related issues, including the attached letter. I and a select group of utility leaders on my Board of Directors from across the country would greatly appreciate the opportunity to discuss these issues directly with you as soon as possible. Given President Trump's stated goal of refocusing the Agency on its core purpose of ensuring clean water and clean air, I believe we can accomplish much together and we should begin this collaborative process as soon as is feasible for you.

As you know, our nation faces a \$600 billion funding gap for wastewater and water infrastructure over the next 20 years and demands on local ratepayers to cover these costs are quickly reaching unaffordable levels. NACWA is pleased to see that the Trump Administration has made a commitment to working on these infrastructure challenges and we welcome the opportunity to work with you on this issue. NACWA has been working with EPA and the clean water community on infrastructure financing issues since 1970, and our members offer a wealth of expertise on what has worked and where improvements are needed.

In addition to the existing infrastructure investment needs, NACWA's public utility members also continue to face a wide array of challenges such as increasingly

February 21, 2017

Page 2

stringent water quality regulations and federally mandated/enforcement-based requirements to minimize sewer overflows that are requiring billions of dollars of investment in new treatment technologies, storage and systems. We welcome the opportunity to discuss the progress that has been made as well as those areas where we believe greater regulatory flexibility would help our members prioritize their investments and maximize each ratepayer dollar.

As NACWA members seek to meet these challenges, the sector is becoming more innovative and more focused on the potential for technological advances and creative management approaches to navigate the increasingly complex maze of demands on these essential services. This solution-oriented effort is what we call the Utility of the Future initiative and we believe it affords an enormous opportunity to help frame the funding and policy landscape for water.

Again, we would like to set up a meeting with you and some of our key utility executives at your earliest convenience. Please contact me or Chris Hornback, NACWA's Chief Technical Officer, at [chornback@nacwa.org](mailto:chornback@nacwa.org) or 202/833-9106 to schedule a meeting.

Congratulations again and I look forward to meeting you and to discussing ways for NACWA and EPA to continue our long and productive history of working together.

Sincerely,



Adam Krantz  
Chief Executive Officer  
202/833-4651 (office)  
(b) (6) (cell)  
[akrantz@nacwa.org](mailto:akrantz@nacwa.org)

ATTACHMENT

**EXECUTIVE COMMITTEE**

**PRESIDENT**

**Raymond J. Marshall**  
Executive Director  
Narragansett Bay  
Commission  
Providence, RI

**VICE PRESIDENT**

**Cathy Gerali**  
District Manager  
Metro Wastewater  
Reclamation District  
Denver, CO

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Executive Director  
Metropolitan Water  
Reclamation District of  
Greater Chicago  
Chicago, IL

**SECRETARY**

**Mark S. Sanchez**  
Executive Director  
Albuquerque-Bernalillo  
County Water  
Utility Authority  
Albuquerque, NM

**PAST PRESIDENT**

**Adel H. Hagekhalil**  
Assistant Director  
City of Los Angeles -  
LA Sanitation  
Los Angeles, CA

**CHIEF EXECUTIVE OFFICER**

**Adam Krantz**

December 12, 2016

President-Elect Donald J. Trump  
1717 Pennsylvania Avenue, NW  
Washington, DC 20006

Dear President-Elect Trump:

On behalf of the members of the National Association of Clean Water Agencies (NACWA), congratulations on your election as President of the United States.

As you made clear during your successful campaign, reinvestment in our nation's crumbling infrastructure must be a top priority. NACWA and its public clean water utility members stand ready to work with you and your administration on this important endeavor, and we respectfully request a meeting with members of your transition team and new administration to discuss our recommendations for investing in our nation's clean water infrastructure and improving water quality.

NACWA is the leading national advocacy voice for the nation's publicly owned wastewater and stormwater utilities. We have nearly 300 public agency members across the country representing a diverse array of geographic locations and population sizes. Our member agencies serve over 124 million people in 46 states, the District of Columbia, and Puerto Rico. Our members are true public servants, working on the front lines every day for environmental and public health protection on behalf of their communities. NACWA is committed to advancing its priorities and the interests of its members on a bipartisan basis.

As we noted in our letter to your campaign in August, we believe recent events have made it clear that water must be a top national priority and significantly increased investments in clean water infrastructure - the network of aging pipes, treatment plants and stormwater systems - are critical to ensure our nation's security, create jobs, grow the economy and protect our public health and environment. Public utilities currently shoulder approximately 95% of all investment in water and wastewater systems (nearly \$100 billion annually) but affordability constraints are demanding a more serious investment role from state and federal partners.

Our public utility members are also focused on addressing affordability concerns for low income populations within their communities, advancing responsible regulatory reform proposals that streamline the regulatory and permitting process to aid utilities in meeting environmental and public health goals in more cost-effective ways, and continuing to promote the amazing innovation that is already occurring within the water sector.

We outline these issues in more detail below and include recommendations for consideration by your administration.

NACWA greatly appreciates the attention you provided to infrastructure issues during the campaign, as well as your commitment for greater investments in our nation's urban areas. And we were pleased that, in your acceptance speech on election night, you emphasized infrastructure as a signature policy initiative. Your quote that *"we're going to rebuild our infrastructure, which will become... second to none. And we will put millions of our people to work as we rebuild it,"* was a welcome commitment to address a significant public need. NACWA and its members welcome the opportunity to work with you and your administration to make this vision a reality.

## **Increase Funding for Clean Water Infrastructure**

The United States has made significant investments in its clean water infrastructure systems over the past century, but we are at risk of losing many of the advances we have made without a serious national investment. While much of this funding will come from local sources, the federal government must also step up its commitment.

At the national level, the federal government has played a critical role over the last forty years in supporting water infrastructure investment, especially during the early days of the Clean Water Act (CWA) through the federal construction grants program. These grants provided a vital foundation for much of the clean water infrastructure in the United States and were followed by federal loan support through the Clean Water State Revolving Fund (CWSRF).

However, federal support for water infrastructure has not kept pace with the growing need, and funding for the CWSRF has consistently fallen short in recent years. While the \$6 billion for water infrastructure included in the 2010 American Recovery & Reinvestment Act was a welcome infusion of resources, it was not nearly enough to meet the need, which is estimated by EPA's most recent Clean Water Needs Survey at \$270 billion.

Modernizing and replacing the country's aging water and wastewater infrastructure may be the single largest public works need that our nation faces and it requires a serious investment. NACWA applauds your commitment during the campaign to triple funding to the CWSRF and Drinking Water SRF. These funds provide vital federal support to clean water projects, and a tripling of the federal commitment to these programs will help advance infrastructure projects across the nation. NACWA stands ready to work with you and Congress to make this promise a reality.

NACWA also appreciates your interest in advancing a major infrastructure funding bill early in your presidency. The time is right for a significant national infrastructure package, and NACWA is prepared to actively support an effort that includes substantial resources for water related projects. While private funding may play an important role in any such package, NACWA also believes there must be a meaningful commitment of federal dollars included in any infrastructure bill. This is an area where strong bipartisan support is possible.

The federal government also plays a key role in supporting clean water infrastructure funding through preservation of municipal tax-exempt bonds. These bonds provide a significant source of capital for public clean water utilities to meet their infrastructure investment needs. There has been growing speculation since the election that the tax-exempt status of municipal bonds may be targeted as part of a larger infrastructure bill or tax reform package in the next Congress. NACWA strongly opposes such a move and encourages your administration to defend tax-exempt municipal bonds as a critical source of infrastructure funding for local governments.

### **Key Recommendations for Clean Water Infrastructure Funding**

- **Advance a robust national infrastructure package.** NACWA strongly supports additional federal investment in our nation's infrastructure, and recommends that a significant portion of any new federal infrastructure investment be dedicated to improving our nation's clean water infrastructure. NACWA also recommends that any package include a meaningful commitment of federal dollars and not rely solely on private financing.

As you have rightly noted, investments in clean water infrastructure provide significant economic benefits to our communities. The National Association of Utility Contractors estimates that one billion dollars invested in water infrastructure can create over 26,000 jobs. The Department of Commerce estimates that each job created in the local water and wastewater industry creates 3.68 jobs in the national economy and each public dollar spent yields \$2.62 dollars in economic output in other industries. These are highly leveraged federal investments that result in significant job and economic benefits for every dollar spent.

- **Triple funding for the Clean Water State Revolving Loan Fund.** NACWA strongly supports your vision to triple funding for the CWSRF. Federal investment in the SRF program leverages additional investment at both the state and local levels in a variety of ways. Federal capitalization grants to the state SRF programs must to be matched by a 20% contribution from states, thereby leveraging an additional \$20 million of capital investment for every \$100 million of federal investment. Further, nearly 30 states leverage the federal capitalization grant in the bond market which can provide billions in additional working capital. Each loan issued by the SRF also typically leverages additional local investment provided through the municipal bond market, private financing or other funding sources. Increasing the federal capitalization grant will significantly increase the overall investment in water and wastewater infrastructure projects by state and local governments as well as by the private sector far beyond the direct federal investment in the program.
- **Protect tax-exempt municipal bonds.** For more than a century, tax-exempt municipal bonds have been a critical source of funding for water and wastewater infrastructure projects in the United States. According to a 2013 report from the U.S. Conference of Mayors, 48 of the 50 states utilized tax exempt financing to fund water and wastewater projects in 2012. Between 2003 and 2012, municipalities issued \$258 billion worth of tax-exempt municipal bonds to fund water and wastewater infrastructure – comprising approximately 16 percent of all municipal bond issuance for all infrastructure projects over that period. Any policy to alter the tax-exempt status of these bonds will cost municipalities billions of dollars, preventing many projects from going forward and significantly increasing rates for customers, while also having the perverse effect of actually lowering the total funds available for clean water infrastructure investment.

### **Address Affordability and Low Income Challenges**

Closely linked to any discussion of water infrastructure must also be an acknowledgement of the financial challenges posed to many ratepayers by the rising costs of drinking water and clean water bills to pay for needed investments. This is particularly true for low income populations that face an increasingly difficult time affording rising clean water costs. NACWA's annual rate survey has shown in recent years that, all across the country, the annual household costs for clean water are rising faster than the rate of inflation – sometimes by double digits – and are placing unsustainable financial burdens on low income households.

NACWA welcomes your commitment on the campaign trail to provide greater assistance to struggling towns, cities and urban areas in our nation, and we believe an excellent way to provide this assistance is to address the

growing economic challenges of providing clean, safe water and reliable water infrastructure to working-class Americans. In the wake of the tragedy in Flint, Michigan and a growing array of challenges to clean and safe water services, it is critical that we as a nation commit ourselves to making the investments needed to address these issues while also providing assistance to those most disproportionately impacted by the cost.

In addition to ensuring that low-cost financing programs are available, NACWA encourages your administration to examine how clean water affordability evaluations are conducted by the Environmental Protection Agency (EPA) and the Department of Justice (DOJ). There are a number of changes that could be made within the Executive Branch to address affordability concerns. NACWA also encourages your administration to explore with Congress opportunities for the federal government to provide additional financial assistance to clean water utilities and local governments to assist low income households in affording the rising costs of clean water services.

#### **Key Recommendations for Affordability/Low Income Issues**

- **Revise the clean water affordability evaluation process currently used by EPA and DOJ.** The current affordability guidelines were developed in 1997 and are horribly outdated. They rely on a single economic indicator (medium household income) and have not been formally revised and updated to account for changed economic circumstances. This approach is particularly problematic when used in an environmental enforcement context and DOJ seeks to place a public utility and its community under a federal enforcement order. EPA's guidelines must be revised to include new affordability criteria that evaluate a much broader range of community affordability factors.
- **Explore development of a federal low income assistance program.** Today, 40% of households across America are paying more out of their disposable incomes for wastewater management than what EPA says is affordable. Given that federal assistance programs already exist related to food and energy costs, NACWA believes it is time to consider a federal role in ensuring lower-income ratepayers who struggle to pay water and sewer services can nevertheless continue to access to safe and clean water. This could be accomplished through a variety of means, including allowing local governments to use a percentage of CWSRF funding to address affordability concerns, or creating a federal program to assist low income households pay for water and sewer service, similar to the existing Low Income Home Energy Assistance Program (LIHEAP) for energy costs. This could also be structured as an incentive-based program requiring state and local matching contributions so that water infrastructure investment grows at all levels.

Such federal assistance would allow local utilities and governments to increase water and sewer rates as necessary to cover the cost of additional infrastructure investments – and with local ratepayers still covering the bulk of the investment costs – but without the risk of placing a disproportionate and unsustainable financial burden on the poorest households in the community.

### **Advance Responsible Regulatory Reform**

A key message you communicated during the campaign was that government can work smarter and better for the American public, with an emphasis on reforms to streamline the existing regulatory process. NACWA believes there are several key reforms in the clean water sphere, as outlined below, that could significantly ease the regulatory burden on public clean water utilities while at the same time providing improved environmental and public health protections at better cost.

### **Key Recommendations for Regulatory Reform**

- **Continue advancing Integrated Planning concepts.** EPA's 2012 Integrated Planning Framework and subsequent related documents around affordability have provided important new flexibilities for clean water utilities to prioritize their regulatory obligations and infrastructure investments. NACWA applauds EPA for the steps taken thus far. But more must be done to institutionalize integrated planning concepts in all aspects of EPA's interaction with clean water utilities, especially in the permitting context. Integrated planning-based scheduling and sequencing must be available as an option for utilities to consider in all National Pollutant Discharge Elimination System (NPDES) permits going forward. EPA should also work with Congress to codify integrated planning in to the CWA.
- **Focus on a "net environmental benefit" analysis.** EPA's current approach to implementing the various existing environmental statutes does not consider how requirements under one program may negatively impact another, or whether together the requirements result in an overall environmental benefit. EPA must do a better job evaluating whether its water-related requirements will have unintended consequences and explore if there is a more cost effective, environmentally beneficial approach. A top priority in this regard is the accretion of water-related EPA mandates in recent years. Increasingly stringent pollutant requirements continue to drive clean water utilities to more sophisticated levels of treatment, resulting in higher energy consumption, more chemical use, and rising costs, all with diminishing water quality return on investment. These resources could be more effectively used elsewhere. This is an area ripe for responsible regulatory reform, and NACWA is ready to work with your administration on devising solutions.
- **Promote smarter approaches to wet weather regulation.** Upgrades to address wet weather issues, including combined and sanitary sewer overflows (CSOs and SSOs) are often the most expensive investments clean water utilities must make. There are existing regulatory flexibilities under the CWA that EPA should pursue to create more rational wet weather regulations, especially around the management of SSOs. Instead of dictating what kinds of wet weather treatment processes should be used at wastewater treatment plants, EPA should put policies in place that encourage use of these technologies to provide the most effective level of treatment to the greatest amount of flow. EPA must also work with municipal stormwater utilities to provide maximum flexibility in meeting the CWA's "maximum extent practicable" standard for stormwater discharges.
- **Focus on compliance assistance, not compliance assurance, with public clean water utilities.** One of the largest cost drivers for clean water utilities has been the massive expenditures mandated by EPA enforcement orders and consent decrees. Although enforcement may be necessary in certain situations, EPA should focus on assisting local communities with compliance assistance first and only begin formal enforcement proceedings when efforts at compliance assistance have failed. Additionally, the cost of any enforcement actions required by EPA should be justified by measurable environmental benefits on a net environmental benefit basis.
- **Streamline the SRF application and documentation process.** While the CWSRF is a very important source of clean water infrastructure funding – particularly if its federal contribution is significantly increased – some clean water utilities are dissuaded from using CWSRF resources due to the significant paperwork and bureaucratic requirements associated with accessing these funds. EPA should work with the states and stakeholders from the clean water sector to significantly reduce the paperwork and bureaucracy around CWSRF loans.

## Promoting Water Sector Innovation

There are exciting advances taking place in the municipal clean water sector. While public clean water utilities once just focused on treating and managing a waste product, they have reinvented themselves over recent years into producers of valuable products and services for their communities, as well as agents of innovation, new ideas, job creation, economic growth, and technological advancement.

Nowhere has this new mindset been better captured than in the Utility of the Future (UOTF) concept pioneered by NACWA, the Water Environment Federation (WEF) and the Water Environment & Research Foundation (WE&RF) to highlight the ways in which municipal clean water agencies are leading the charge to a new tomorrow.

The UOTF concept is based on the simple notion that clean water utilities can embrace and implement innovative approaches and technologies to improve environmental performance while also lowering costs, increasing revenue, and helping boost the local economy. These approaches include things like energy production from the wastewater treatment process, use of green infrastructure to address and reduce wet weather flows, recovery of valuable resources like phosphorus from the waste stream, water reuse and water recycling, use of big data to better optimize system performance, nontraditional funding partnerships – including public/private partnerships – to finance clean water projects, and watershed approaches to address water quality impairment more holistically within an overall watershed.

These innovations by the municipal clean water sector are a critical component of moving America's wastewater and stormwater systems into the 21st century while also providing greater environmental and economic value for local communities. Our nation's clean water utilities are innovation pioneers, and are great examples of how new thinking at the local level can help solve many of our most pressing 21st century environmental challenges.

### Key Recommendations for Promoting Water Sector Innovation

- **Create a regulatory structure that encourages and incentivizes innovation by public clean water agencies.** Utilities are pursuing a broad range of new concepts to improve the environment and protect public health in more cost-effective ways, as outlined above. The federal government should work to provide a better regulatory environment that will incentivize innovation. Current regulations, focused on harsh consequences for noncompliance with permit requirements, force many clean water utilities to 'play it safe' and adopt technologies and approaches that are proven and established. Safe harbor concepts, adaptive management and other implementation tools should be explored to enable clean water utilities to explore new, more innovative approaches.
- **Provide financial support to help spread adoption of UOTF innovations for widespread use.** Many clean water agencies are interested in adopting new UOTF technologies like water reuse and water recycling, resource recovery, energy production, and other approaches that will lower operating costs and/or increase revenues. But engaging in the necessary planning, cost calculations, and securing funding to pursue these innovations can exceed what many utilities and communities can afford. Additional federal support, whether in the form of direct spending, loans, or tax incentives for private sector investment, could help communities with limited budgets make the upfront investment that will help jumpstart their UOTF efforts.

NACWA appreciates this opportunity to provide recommendations to you and your transition team as you continue the important task of preparing key policy initiatives for your presidency. Additionally, a number of other water sector organizations including the Association of Metropolitan Water Agencies, the American

Water Works Association, the Water Environment Federation, and the Water Research Foundation have submitted their own transition documents and recommendations. There was also a joint transition letter submitted to you by a broad coalition of water sector organizations, spearheaded by the U.S. Water Alliance and including NACWA as a signatory, that outlined key high-level issues enjoying wide support within the water community where important progress can be made. NACWA strongly encourages you and your transition team to consider the recommendations put forth in these documents.

The challenges facing our nation's public clean water agencies are significant, but the opportunities to address these challenges and improve water quality by empowering these utilities in new and innovative ways have never been greater. NACWA is eager to work with you and your administration to elevate clean water as a national priority.

Please do not hesitate to contact Nathan Gardner-Andrews, NACWA's Chief Advocacy Officer, at 202/833-3692 or [ngardner-andrews@nacwa.org](mailto:ngardner-andrews@nacwa.org) with any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Raymond J. Marshall".

Raymond J. Marshall  
President

A handwritten signature in black ink, appearing to read "Adam Krantz".

Adam Krantz  
Chief Executive Officer